

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Joseph A Martin v Tabettha A Martin**
Docket No. **290511**
L.C. No. **07-003776 DO**

Henry William Saad, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The claim of appeal filed February 23, 2009, is **DISMISSED** for lack of jurisdiction because the judgment of divorce was not a final order at the time that the claim was filed. If an appellant files a motion for a new trial, reconsideration, rehearing, or similar postjudgment relief within 21 days of the entry of a final order, the finality of the order is suspended until the trial court denies that motion. An appeal as of right may then be claimed from the final order within 21 days after entry of the order denying the motion. See MCR 7.204(A)(1)(b). In this case, the claim of appeal was prematurely filed because the trial court had not fully disposed of the postjudgment motion.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR 23 2009

Date

Sandra Schultz Mengel
Chief Clerk